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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE ROGER T. BENITEZ)

UNITED STATES OF AMERICA, Plaintiff, v. EBERARDO GARCIA, Defendant.	)	CASE NO. 07cr3073-BEN DATE: MARCH 3, 2008 TIME: 9:00 A.M. APPLICATION FOR AN ORDER RELEASING CRIMINAL HISTORY DOCUMENTS

TO: KAREN HEWITT, UNITED STATES ATTORNEY;
FRED SHEPPARD, ASSISTANT UNITED STATES ATTORNEY; AND
VICTORIA CHALMERS, UNITED STATES PROBATION OFFICER:

Mr. Garcia respectfully request an order granting the production of all documents relied upon by United States Probation in determining Mr. Garcia's alleged prior criminal history and prior law enforcement contacts. The requested documents are necessary in determining whether the criminal history score attributed to Mr. Garcia by the probation officer is correct.

Respectfully submitted,

Dated: February 11, 2008

/s/ Gregory T. Murphy
GREGORY T. MURPHY
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Garcia